



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,511	01/04/2000	GABY MATSLIACH	2559/1F420-US2	9309

7590 06/25/2003
CHARLES A RATTNER ESQ
DARBY & DARBY PC
805 THIRD AVENUE
NEW YORK, NY 10022

EXAMINER

JAROENCHONWANIT, BUNJOB

ART UNIT	PAPER NUMBER
----------	--------------

2141

8

DATE MAILED: 06/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/477,511

Applicant(s)

MATSLIACH ET AL.

Examiner

Bunjob Jaroenchonwanit

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the amendment filed 06/21/2003. Claim 1-14 are pending for examination. The statements regarding to status of the specification, status of the abstract, and rejection under 35 U.S.C. 112 and Double Patenting Rejection, have been reviewed and acknowledged. All claims are rejected, the rejection and/or objection cited are as stated below.

Claim Rejections - 35 USC § 102

2. The statement regarding 35 U.S. Code 102, 103 and 112, second paragraph not found in this Official Action were cited in the previous Office Action.

3. As to claims 1-4, MacNaughton was applied for claims rejection in the previous rejection, the teaching and citations, which are applicable for rejection are hereby incorporated by reference.

4. As to new claims, claims 5-10 are rejected under 35 U.S.C. 103(a) as being unpatentable under MacNaughton et al. (US. 6,020,884).

5. As to new claims, claims 5-14 are rejected under 35 U.S.C. 102(e) as being unpatentable under MacNaughton et al. (US. 6,020,884).

6. As to claim 11, MacNaughton discloses a method for facilitating a communication between a first user and a second user, both visiting a web server, the method comprising:

receiving, from the first user a first user ID corresponding to the first user and an address of the first web server; (users who wished to become a member of each community, must provide information during sign up process to provide membership information, e.g., name

Art Unit: 2141

address profile subject of interest, favorite web sites, Col. 9, lines 6-26; the format of communication packet include client alias and community URL Col. 14, lines 35-40);

receiving, from the second user a second user ID corresponding to the second user and an address of the first web server (each community server supporting members who share the same interest, browser the same web site interaction, ID and address of other member including a second user are required establishing interaction session, thereby the second user ID and address of the web server are inherent; any users communicate in this system using the same packet format, as discussed above);

providing, to the first user, at least an indication of the second user ID (community server provide list of member who share the same interest, Col. 9, line 1-Col. 10, line 32); and

receiving, from the first user, a request to communicate with the second user (each member can initiate chat session by invitation other member or log into the community chat room based on predetermined profile, MacNaughton provided type code for client to make request of any types including request to communicate with other member, Col. 15).

7. As to claim 13, the claim recites a computer readable medium encoded with processing instructions for performing a method as described in claim 11, has the corresponding limitation. Therefore, it is rejected by the same rationale.

8. As to claim 14, the claim recites an apparatus for performing an operation in accordance with the method in claim 11. In addition, the claim recited a processor and memory, and sending it own address to itself, e.g., providing to the second user an address to communicate with the second user, MacNaughton teaching used computers for communications, processor and memory are inherent. Further, communicate between two communication nodes in a network the

Art Unit: 2141

information packet required source and destination address, thus inherently, devices constantly send it own address to itself.

9. As to claim 12, the community server can transmit to other member an invitation from a first member and the other member can send invite-reply back (see type code in Col. 15)

10. As to claims 5, 6, 9 and 10 are method, computer program and apparatus claim, recited similar limitations as discussed in claim 11, 13 and 14. The same rejection is applied to these claims. In addition the claims required a semi-public chat room, in light of specification, the semi-public chat room referred to a chat room that visible to the users that has similar predetermined profile. MacNaughton teaches a community-chat room for member who shared similar profile, only the members who registered with the server, specifying their interests can chat to each other. Thus, MacNaughton's community chat room is in fact equivalent to the claimed semi-public chat room. Other limitations, such as request and response to chat with other users are discussed in claims 1-4 and paragraph above (see also Col. 9, line 1-Col.10, line 32; Col. 12.-Col. 15 teaches Crequest/Cresponse and type of code for designing sending request/response).

11. Claims 7-8, MacNaughton discloses server tracking and logging user activities; tracking server can provide list of member logging in to any web site, such transaction is applied to all members including one who have user profile, e.g., personnel data (see transaction type col. 20); system's querying user database 44, determining if the user belongs to the community associated with the URL; including search feature for searching community memberships, in which any member can be used to search users database for members from any communities (Col. 8, lines 42-67; Col. 10, lines 17-37; Col. 18, lines 18-67; Col.20, lines 1-21), *i.e., receiving, from the first*

Art Unit: 2141

user, a query for information regarding other users visiting the first web site; and searching a user database to determine which users are visiting the first web site, included request for user that have predetermined personal data.

12. Applicant's arguments filed 06/21/2003, regarding to claims 1-4, have been fully considered but they are not persuasive. In the remark applicant alleged that the applied reference does not teach semi-public chat room.

Examine disagreed the language of claim 1, was broadly written to provide alternative, the claim said "transmitting, to the second user, an indication that the first user has requested one of the public chat session, the semi-public chat session and the private chat session;" (emphasis added). Only one chat room is required in this claim, the reference clearly taught at least one chat room.

However, if the claim were amended to require the semi-public chat room, in light of specification, (Page. 10, line 21-Page. 11, line 3), MacNaughton community chat room, which created for member who shared the same interest, using user profile collected when registering the members, read right on the semi-public chat room, (See MacNaughton Col. 8, line 54-Col. line 27).

Regarding to traversing claim 4, applicant relied upon the status of claim 1. There is no ground to present argument other than has readily discussed above.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

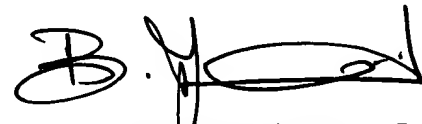
Art Unit: 2141

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (703) 305-9673. the examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703) 308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.



B. JAROENCHONWANIT
PRIMARY EXAMINER

/bj
June 21, 2003